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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/974,556	10/09/2001	Andrew G. Austin	IFC361	7152

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ALLEMAN HALL MCCOY RUSSELL & TUTTLE LLP
806 SW BROADWAY
SUITE 600
PORTLAND, OR 97205-3335

EXAMINER

GALL, LLOYD A

ART UNIT

PAPER NUMBER

3676

DATE MAILED: 10/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/974,556

Applicant(s)

AUSTIN, ANDREW G.

Examiner

Lloyd A. Gall

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 24 and 26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date 04/27/2005.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

In view of further considerations, the following non-Final rejection withdraws the previous allowability of claims, in view of the following objections and rejections. It is regretted that these objections and rejections were not earlier set forth.

Applicant's election of the removable lamp assembly species in the reply filed on August 26, 2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claims 24 and 26 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on August 26, 2005.

Claims 1-23 and 25 are objected to because of the following informalities: The scope of all of the claims is unclear, since it is unclear if the removable locking device and movable lock head is being positively claimed, or only inferentially claimed. Appropriate correction is required.

In view of the above claim objections, the claims are rejected as best understood, on prior art, as follows. All of the claims are currently assumed to be only inferentially claiming the locking device and lock head.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4-6, 8 and 9 as best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Seto et al in view of Lee et al.

As seen in figs. 5-7, Seto teaches an apparatus capable of use with a removable locking device 32 and lock head 36 movable between first and second orientations. The apparatus includes a housing having an access slot closed by an access door 27, the housing including removable components 22 accessible when the door 27 is opened. A slot 31 receives the lock head 36, which lock head cooperates with a latch assembly 40, 41, 42, the latch including a handle received in an opening 46. The latch includes a stop element defined by the periphery of holes 48, 49 to engage the removable lock 32, and a handle 45 extends through what may be regarded as the guide element 46 (claim 8) and the aperture (of claim 9). As seen in figs. 11-13, Lee teaches a movable access cover 20 maintained in a closed position and engaged by a latch 24, and the latch controlled by a removable locking device 40. It would have been obvious to modify the apparatus of Seto such that the latch portion 42 is engageable with the access door 27 in its closed position, in view of the teaching of Lee, the motivation being to restrict access to and tampering with the components 22 of Seto.

Claim 7 as best understood is rejected under 35 U.S.C. 103(a) as being unpatentable over Seto et al in view of Lee et al as applied to claim 4 above, and further in view of Hotsumi.

Hotsumi teaches a spring 70 to bias a latch 68 into its door engaging position. It would have been obvious to utilize a spring with the latch of Seto, in view of the teaching of

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Hotsumi, the motivation being that the latch would automatically extend into its door engaging position as is conventional with latch bolts, to simplify locking of the door.

Claim 10 as best understood is rejected under 35 U.S.C. 103(a) as being unpatentable over Seto et al in view of Lee et al as applied to claim 4 above, and further in view of Dean.

As seen in figs. 9 and 10, dean teaches a door 16 having a receptacle 94 engaged by a retaining element 76 of a latch. It would have been obvious to provide a receptacle on the door of Seto to be engaged by a retaining element of the latch portion 42, in view of the teaching of Dean, the motivation being to securely hold the door in its closed, locked condition.

Claims 1-6, 8-10, 17, 19 and 20 as best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Heintz et al in view of Seto et al.

As seen in fig. 1, Heintz teaches a projector apparatus 12 having a removable lamp 39 received in the housing 12, wherein the access opening to the lamp is closable by an access door 30. A handle 32 extends through an aperture (or guide element) to allow a slidable latch 50 having a retaining element 26 to engage a corresponding receptacle portion 22 of the housing to latch the door 30 in its closed condition. The latch also includes a stop element 52 which cooperates with a slot 62 as seen in fig. 4, which slot is capable of receiving a removable locking device and lock head. It is also noted that the locking device is not being regarded as positively claimed, as set forth above in paragraph 4. Seto teaches that a latch 40 may be mounted on a housing. It would

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have been obvious to mount the handle 32 and latch of Heintz on the housing instead of the door 30, in view of the teaching of Seto, as an obvious reversal of parts.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Heintz et al in view of Seto et al as applied to claim 4 above, and further in view of Hotsumi.

Hotsumi has been discussed above. It would have been obvious to provide a spring with the latch of Heintz et al, in view of the teaching of Hotsumi, the motivation being to prevent jarring of the latch away from its receptacle.

Claim 18 as best understood is rejected under 35 U.S.C. 103(a) as being unpatentable over Heintz et al in view of Seto et al as applied to claim 17 above, and further in view of Lee et al.

As set forth above, Lee teaches a door (at numeral 20 in fig. 13) slidable along one side portion (top side) of a housing, and key-locked by a slot in another side portion of the housing. It would have been obvious to substitute a slot in an adjacent side wall of the housing of Heintz to engage the latch which slides along an adjacent side, in view of the teaching of Lee et al, since either locking side would function just as well.

Claims 11, 12, 14-16 and 21 as best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Heintz et al in view of Seto et al and Lee et al.

All of the above references have been discussed. It would have been obvious to mount the handle 32 and latch of Heintz on the housing instead of on the door 30, in view of the teaching of Seto, as an obvious reversal of parts. It would have been obvious to mount the handle 32 of Heintz in an aperture along an adjacent side of the housing from

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the side which is closed by the door 30, in view of the teaching of Lee et al, since either side would function just as well.

Claim 13 as best understood is rejected under 35 U.S.C. 103(a) as being unpatentable over Heintz et al in view of Seto et al and Lee et al as applied to claim 13 above, and further in view of Hotsumi.

Hotsumi has been discussed above. It would have been obvious to provide a spring with the latch of Heintz, in view of the teaching of Hotsumi, to prevent the latch from being inadvertently jarred into its unlatched condition.

Claims 22, 23 and 25 as best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Heintz et al in view of Seto et al and Kyhl et al.

Heintz and Seto have been discussed above. Kyhl teaches that a projector is well known to also include a lens 25 with the lens 150a. It would have been obvious to mount the handle 32 of Heintz in an aperture along the housing and to include the slot 62 in the housing, instead of the door 30, in view of the teaching of Seto, as an obvious reversal of parts. It would have been obvious to provide a lens with the projector lamp of Heintz, in view of the teaching of Kyhl et al, since a lens is well known to be used with a lamp in a projector.

Applicant's previous remarks with respect to the prior art rejections are regarded as moot, in view of the new grounds of rejection.

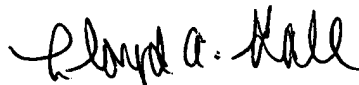
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 571-272-7056. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LG LG
October 26, 2005


Lloyd A. Gail
Primary Examiner